

1 UNITED STATES DISTRICT COURT
2 EASTERN DISTRICT OF NEW YORK

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15-CR-95 (WFK)

3 UNITED STATES OF AMERICA,

4 Plaintiff,

United States Courthouse
Brooklyn, New York

5 -against-

September 12, 2019
10:00 a.m.

6 DILKHAYOT KASIMOV,

7 Defendant.

8 -----x

9 TRANSCRIPT OF CRIMINAL CAUSE FOR PRETRIAL CONFERENCE
10 BEFORE THE HONORABLE WILLIAM F. KUNTZ, II
UNITED STATES DISTRICT JUDGE

11 APPEARANCES

12 For the Government:

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Eastern District of New York
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18 BY: ELIZABETH E. MACEDONIO, ESQ.

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BY: KELLEY J. SHARKEY, ESQ.
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1 LORD & SCHEWEL
2 233 Broadway - Suite 2220
3 New York, New York 10279
4 BY: ABRAHAM RUBERT-SCHEWEL, ESQ.

5 Also Present: SANJAR BADADJANOV, INTERPRETER

6 Court Reporter: LINDA D. DANELCZYK, RPR, CSR, CCR
7 Phone: 718-613-2330
8 Email: LindaDan226@gmail.com

9 Proceedings recorded by mechanical stenography. Transcript
10 produced by computer-aided transcription.

11 * * * * *

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13 (In open court.)

14 THE COURTROOM DEPUTY: All rise.

15 The Honorable William F. Kuntz, II is now presiding.

16 Criminal cause for pretrial conference, Docket
17 Number 15-CR-95, U.S.A. versus Kasimov.

18 Counsel, please state your appearances for the
19 record; spell your first and your last names for the court
20 reporter, including the Uzbek previously-sworn interpreter.

21 MR. PRAVDA: Good afternoon, Your Honor. Doug
22 Pravda, David Kessler and Matthew Haggans. That D-O-U-G
23 P-R-A-V-D-A; David Kessler, D-A-V-I-D, K-E-S-S-L-E-R; and
24 Matthew Haggans, M-A-T-T-H-E-W, H-A-G-G-A-N-S.

25 (Defendant enters the courtroom.)

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1 THE COURT: Good afternoon. Please be seated,
2 gentlemen.

3 Ladies and gentlemen of the public, please be seated
4 as well.

5 MS. MACEDONIO: Good afternoon, Your Honor.
6 Elizabeth Macedonio for Mr. Kasimov; E-L-I-Z-A-B-E-T-H,
7 M-A-C-E-D-O-N-I-O.

8 Mr. Kasimov is present at the table.

9 Ms. Sharkey just stepped out, she'll be right back.
10 And we also have.

11 MR. RUBERT-SCHEWEL: Good afternoon, Your Honor.
12 Abraham Rubert-Schewel; A-B-R-A-H-A-M, R-U-B-E-R-T, hyphen,
13 S-C-H-E-W-E-L.

14 THE COURT: Good afternoon. Please be seated.
15 Thank you.

16 And the interpreter's present again.

17 Would you state your name, sir, and spell it for the
18 court reporter. State your name and spell it.

19 THE INTERPRETER: Sanjar Badadjanov. S-A-N-J-A-R
20 B-A-D-A-D-J-A-N-O-V.

21 THE COURT: Thank you.

22 The delay today was occasioned, in part, by the fact
23 that the Court has been working with my law clerks on a
24 decision and order.

25 I'm going to read the decision and order, item 401,

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1 and you'll be provided with copies of it by my courtroom
2 deputy after I read it.

3 Quote, after due consideration of all relevant
4 submissions in evidence, the Court hereby denies in its
5 entirety defendant's motion to disclose and to suppress
6 evidence obtained pursuant to the Foreign Intelligence
7 Surveillance Act, paren, ECF number 336, close paren. A
8 memorandum of decision explaining the Court's reasoning will
9 follow as soon as is practicable. So ordered. Signed by me
10 today.

11 Mr. Jackson will give you copies of this decision
12 and order 401 now. Please hand it to counsel, and we hope to
13 have that decision filed for you on ECF certainly within the
14 next 24 hours, but I wanted you to know where we had come out
15 on that.

16 All right, second point is, I spoke with the
17 marshals after yesterday's conference, and they have asked me
18 to direct, and I agreed to do it, that the review of whatever
19 Giglio 3500 materials or Brady materials you're going to see
20 now to review them down in the holding cell area with counsel
21 where you have desks and you will certainly have accessibility
22 to your client.

23 As you may recall yesterday, I said it was up to
24 defense counsel, prosecution, the marshals, and the Court with
25 respect to whether you would be reviewing the materials here

1 in this courtroom or in the secured facility.

2 After speaking with Mr. Juan Tavares, who came to my
3 chambers the other day, he said that from a security point of
4 view, it made a material difference to the marshal service to
5 have the review conducted with counsel present obviously
6 downstairs, and so that's where you will be conducting the
7 review of the documents. So I just wanted to make those two
8 points.

9 Now other items -- yes.

10 MS. SHARKEY: Judge, I just wanted to let you know I
11 was downstairs with Marshal Tavares, and it's terrific. It's
12 all set up. It's good to go.

13 THE COURT: He's a very good man. He came to see me
14 yesterday, and he assured me there would be no adverse impact
15 on the review process, and I assured him that if there was I
16 would be hearing from Mss. Macedonio and Sharkey. So I'm glad
17 to hear that he was a man of his word because I know if
18 there's a problem, you'll let me know.

19 MS. SHARKEY: Judge, Mr. Kasimov would like to waive
20 his appearance for the rest of this appearance so he can go
21 and begin that.

22 Our paralegal, who you authorized yesterday, is down
23 there wired up. It's on the screen.

24 THE COURT: Well, I don't know how much more we have
25 to do today.

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1 MS. SHARKEY: Okay.

2 THE COURT: So it may be that we won't be in this
3 space, any of us, much longer today --

4 MS. SHARKEY: Okay.

5 THE COURT: -- unless there's more to discuss.

6 So let me turn it over to the government now. What
7 are your open issues, counsel, that we need to address today?

8 MR. PRAVDA: Your Honor, I think that one -- we have
9 a few issues. I don't think it will take us long.

10 One is with respect to the jury selection.

11 THE COURT: Yes.

12 MR. PRAVDA: The Court had inquired our views
13 regarding certain emails from the coordinator.

14 THE COURT: I'm sorry, can you say that again, I
15 missed that?

16 MR. PRAVDA: Your Honor, the Court had --

17 THE COURT: Yes, see that magic light, it makes all
18 the difference. Go ahead.

19 MR. PRAVDA: The Court had inquired or requested the
20 parties to review an email from the jury coordinator.

21 THE COURT: Yes.

22 MR. PRAVDA: And be prepared to discuss jury
23 selection.

24 THE COURT: Yes.

25 MR. PRAVDA: So the parties have largely agreed on

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1 the scope of the questionnaire.

2 THE COURT: Okay.

3 MR. PRAVDA: There's one question the defense would
4 like to add that the government objects to.

5 THE COURT: What question is that?

6 MR. RUBERT-SCHEWEL: I can read the question.

7 The question, Your Honor, was in our original
8 submission. It is: Do you personally know anyone who was
9 killed or injured as a result of a terrorist attack in the
10 United States or elsewhere?

11 THE COURT: Why do you want to ask that question?

12 MR. RUBERT-SCHEWEL: Your Honor, we believe it is
13 certainly a relevant question to determine whether or not any
14 members of the jury would be prejudiced or --

15 THE COURT: Why would it be relevant if someone was
16 killed in Oklahoma City in this case?

17 Why would it be relevant if someone was killed by
18 the Ku Klux Klan in this case?

19 MR. RUBERT-SCHEWEL: The question specifically says:
20 Do you personally know anyone.

21 THE COURT: Yes, if my brother was killed in the
22 Oklahoma City bombing, why is that relevant in this case?

23 The question is absurdly overbroad. Also as a
24 terrorist, go back to the founding of this republic and there
25 are people who know people who were killed. All right? So

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1 I'm not going to allow that question.

2 MR. RUBERT-SCHEWEL: Okay.

3 THE COURT: What else?

4 MR. PRAVDA: I guess the parties discussed this
5 ahead of time, and we were just wondering how the Court
6 envisioned this working with the Court's usual jury selection
7 practice? Because obviously the usual selection practice was
8 not involved, the questionnaire, and we were wondering what
9 the Court was thinking?

10 THE COURT: In what regard are you asking the
11 question. I don't really understand the question.

12 MR. PRAVDA: So --

13 THE COURT: Give me an example as to how you think
14 it might modify my usually laser-like focus in picking jurors?

15 MR. PRAVDA: So I guess what I'm thinking is the
16 jurors are going to come in on Monday morning.

17 THE COURT: Right.

18 MR. PRAVDA: They will receive a copy of this
19 questionnaire. They will need a little bit of time, it's not
20 a long questionnaire, maybe a half hour, at most to fill it
21 out.

22 THE COURT: They'll fill it out before they come
23 into the courtroom, right? I'm sorry, they will fill out the
24 questionnaire before they are brought to the courtroom, right?

25 MR. PRAVDA: And so --

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1 THE COURT: Right?

2 MR. PRAVDA: -- the parties --

3 THE COURT: I'm sorry, you're not answering my
4 question.

5 Let me go through this. Let me -- I'll tell you how
6 it's going to work, and then you tell me if you have any
7 problems with this.

8 Before the jurors are brought into this courtroom,
9 they will have received the questionnaire, they will have
10 filled out the questionnaire, and the Court will have the
11 filled out responses, right? Yes?

12 MS. MACEDONIO: I'm with you so far.

13 THE COURT: Okay.

14 So then what happens? Then what are you concerned
15 about?

16 MR. PRAVDA: So I assume that the parties will have
17 copies to review. But is it the Court's intent to let the
18 jurors go, for example, while the parties review each
19 questionnaire responses, or is it the Court's intent to do a
20 different procedure?

21 THE COURT: Okay, let me tell you how it's going to
22 work.

23 The jurors are going to get the questionnaire,
24 they're going to fill them out, and the questionnaires will be
25 brought to the court.

1 The parties -- again, it's an anonymous jury, so
2 it's just going to be jurors 1 through --

3 What, 150, Mr. Jackson?

4 THE COURTROOM DEPUTY: 130, Your Honor.

5 THE COURT: 130. Okay.

6 So jurors 1 through 130, and that's how they'll be
7 identified, will have filled out the questionnaire. And
8 you'll see what their responses are to the questionnaire.

9 Then I will go through my usual jury *voir dire* at
10 30,000 feet, and then I will go through the paddle exercise,
11 which is not to be confused with any X-rated behavior, it is
12 simply, if you have an issue with respect to the following
13 item:

14 Do you know any of the lawyers or the parties to
15 this case? If so, please raise your paddle now. And I will
16 call out paddle number 2, 3, 18, 24, 37, whatever it is, thank
17 you.

18 Do you -- have you read anything about this
19 particular case? And they'll raise their paddles, and I'll
20 call out the numbers.

21 And then, after we go through all the questions that
22 the Court has elected to ask, I will call each jury up by
23 paddle number. In the past I've had to say don't refer to the
24 names, just the paddle numbers, no one's going to have the
25 name, and then I will call jury number 1 up to the sidebar.

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1 We'll put on the white noise machine.

2 Why don't you put it on now, Mr. Jackson, so they
3 get a taste of it.

4 THE COURTROOM DEPUTY: Sure.

5 (Mr. Jackson complies.)

6 THE COURT: And they will come over to the sidebar,
7 to my left, your right, and I will say to jury number One,
8 Sir, madam, thank you, I see you raised your paddle with
9 respect to questions 8, 12, 18, 37, tell me what your issues
10 are with respect to it? And they may talk about child care.
11 They may talk about job responsibilities. They may talk about
12 vacations. They may talk about having an issue with this type
13 of case.

14 They'll talk about whatever they wish to talk about,
15 and I will listen to what they have to say. Only the Court
16 asks questions of the potential juror.

17 And after I have spoken with them, I will either
18 excuse them for cause, and they will then, if they are excused
19 for cause, they will be told to go back down to the second
20 floor jury room. And if they are not excused for cause, at
21 that point they will be told to return to the jury box.

22 And once the process is complete, and we have the
23 full box, the lawyers will then have an opportunity to review
24 their notes and to exercise their peremptory strikes. And any
25 of you who have tried cases with me before know my process in

1 doing that.

2 And then we will announce the jurors who are excused
3 and, again, also by paddle number, but that's all you're going
4 to have in this case, in any event, it's not entirely
5 different than what I typically do, and those jurors who are
6 excused will be sent back to the second floor jury room, and
7 then we will have our 12 plus four and we will administer the
8 oath to them, and they will be given their jury badges and
9 passes, and there we are.

10 Pretty similar to what I ordinarily do, because I
11 think, as I mentioned before, I try to avoid the opportunity
12 for what my Catholic school nuns referred to as the near
13 occasioned sin, which is to say in the modern era, people
14 reaching out to them through the internet or through
15 inadvertence and having interactions.

16 I try to make all of my juries as close to anonymous
17 as possible because I don't want our jurors to be further
18 burdened. It's enough of an intrusion on their busy lives to
19 give jury service. So that's how we're going to do it. It's
20 going to be pretty smooth, I assure you.

21 MS. SHARKEY: Sorry, Judge. When does counsel get a
22 copy of the questionnaire, the filled-out questionnaire?

23 THE COURT: As soon as it's filled out. I mean, the
24 jurors aren't going to get here until Monday, right? They're
25 going to fill it out on Monday, right?

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1 So after they fill it out, you'll get it. I mean,
2 you can't get it before they fill it out?

3 MS. SHARKEY: So the clerk's office, I guess, is
4 going to make copies?

5 THE COURT: Well, I'm not going to do it, and you're
6 not going to do it, and the defendant is not going to do it,
7 and the prosecutors aren't going to do it, so I guess that
8 leaves either the district court executive or the clerk's
9 office. And if Mr. Corcoran is in a photocopying frame of
10 mind, he'll do it.

11 I mean, the big debate is going to be if my law
12 clerks want double-sided copies or not, because I tend to be
13 old school and as not as environmentally friendly as they are,
14 but then again, you know, they'll probably have more to do
15 with the copying exercise than I do so it will probably be
16 more PC and environmentally friendly than otherwise.

17 MS. SHARKEY: Thank you, Judge.

18 THE COURT: Okay.

19 Other questions about this topic?

20 MR. PRAVDA: Your Honor, it sounds like that process
21 will take most of the day Monday. In order for the government
22 to be able to arrange the specific travel schedules of its
23 witnesses, we request that we, whatever time we finish Monday,
24 we adjourn at that time and then come back Tuesday morning for
25 opening statements and the government's -- excuse me, the

1 commencement of the government's case.

2 THE COURT: What is the defendant's response to that
3 request that upon the completion of jury selection, whether it
4 takes an hour or whether it takes seven hours, we adjourn for
5 the day? Are you amenable to that?

6 MS. MACEDONIO: Yes, Your Honor.

7 THE COURT: Okay, since both parties are amenable to
8 that, whom am I to disagree. That's how we'll proceed.

9 Other questions from the government with respect to
10 this topic or other topics?

11 MR. PRAVDA: So just, I guess, two notes that we
12 want to point out with respect to the trial.

13 We intend -- the government intends to introduce a
14 number of items of evidence through a certification under
15 Federal Rule of Evidence 902(14), and we have given the
16 defense a copy of that certification and provided the required
17 notice under the rule.

18 We've asked defense counsel whether they will object
19 or not for planning purposes. They've advised us they'll get
20 back to us, which is fine. I just wanted to put that on the
21 Court's radar so that the Court is aware that we potentially
22 may be making an application to the Court.

23 It works the same way that any other certification
24 would work. So if it's a business record certification, the
25 Court would determine whether the government's laid the

1 appropriate foundation and then decide whether to admit the
2 evidence or not admit the evidence over the defendant's
3 objection.

4 THE COURT: Well, let me ask you, at this point are
5 you prepared to file the documents that you have provided to
6 defense counsel so the Court will have the benefit of having
7 seen them now as opposed to seeing them some time on Monday?

8 MR. PRAVDA: I'm happy to do that, Your Honor.

9 The one sort of caveat is that these are audio
10 files, and so what I could do is I could give the Court a copy
11 of the certification, and then I could provide the Court with
12 a disc that contains the audio files as well as some text
13 messages that will all come in through the certification.

14 THE COURT: You're going to provide to the Court
15 what you've provided to defense counsel, correct?

16 MR. PRAVDA: Okay. I can do that today.

17 And I already provided that to defense counsel.
18 I'll give the Court the copy of the same thing.

19 THE COURT: Any objection to the Court seeing what
20 defense counsel has already seen?

21 MS. MACEDONIO: Absolutely not.

22 THE COURT: All right, so that way I'll be in a
23 position, sooner rather than later, to make what passes from
24 have Court as an informed decision, rather than making a
25 decision on the fly, as it were.

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1 So you'll submit that to the Court today, obviously
2 on notice to defense counsel so I'll have what she's having.

3 All right. What else?

4 MR. PRAVDA: And then we have also been discussing
5 with defense counsel a number of proposed stipulations, and
6 we're going to continue those discussions, and hopefully the
7 parties will be able to advise the Court on Monday morning.

8 We have streamlined the presentation of evidence,
9 because there are a number of things that we have been able to
10 agree upon.

11 THE COURT: Well, I always encourage the parties, to
12 the extent they can, stipulate. You have only to look at me
13 to realize that my ability to streamline has been somewhat
14 limited in my life, but I do the best I can.

15 MR. PRAVDA: And then the last item, Your Honor,
16 there were certain things that the Court had requested during
17 the conference on Monday that the government get back to you
18 with respect to today.

19 And so one of those issues was the defense's request
20 for immigration documents, and so I'm going to ask Mr. Haggans
21 to address that.

22 THE COURT: This is the so-called A-File, among
23 other documents; is that correct?

24 MR. HAGGANS: That's correct, Your Honor.

25 THE COURT: Okay. Fire aware.

1 MR. HAGGANS: So as a consequence of the Court's
2 request, the government did reach out to Immigration and
3 Customs Enforcement. We did receive those A-Files earlier
4 today. We've not yet had the opportunity to review them, but
5 I have discussed with defense counsel prior to this appearance
6 what the government intends to do.

7 Based on the representations made to us by persons
8 at ICE, who are more familiar with the file, it's our
9 expectation that the vast majority of its contents, while we
10 don't think they constitute -- we don't expect them to
11 constitute 3500, or *Brady*, or *Giglio* information that has not
12 been already disclosed to the defense, we expect we're going
13 to be able to take a quick look through those materials, scan
14 them up, and provide them for both the two witnesses.

15 ICE has alerted us that there is a small corpus for
16 each individual that does raise particular law enforcement
17 sensitivities. I don't know what those sensitivities are
18 right now.

19 What we intend to do is to review those documents,
20 and if they contain 3500, *Brady*, or *Giglio* information that
21 either has not been disclosed or is in some way different from
22 what has already been disclosed, we will find a way to
23 disclose that information; perhaps not in the underlying
24 documents, but a letter or something to that effect. And that
25 is what the government hopes to complete as expeditiously as

1 possible.

2 THE COURT: What is your timetable for completing
3 that?

4 MR. HAGGANS: I am hopeful it can be completed by
5 the end of the day.

6 THE COURT: By the end of today?

7 MR. HAGGANS: By the end of today, Your Honor. I --
8 I cannot promise that result. I think given --

9 THE COURT: But you can promise it will be completed
10 by noon tomorrow, correct? Or I could order it. Which would
11 you prefer?

12 MR. HAGGANS: I will endeavor to complete it by
13 today, but I will complete it by noon tomorrow.

14 THE COURT: I'll order it to be completed on or
15 before noon tomorrow so there's no confusion about what the
16 deadline is.

17 And then when you receive it, defense counsel, on or
18 before noon tomorrow, if you're satisfied with it, then you're
19 satisfied with it and you don't have to tell the Court you're
20 satisfied with it; if you're satisfied with it, you're
21 satisfied with it.

22 If you're dissatisfied with it, you have an
23 obligation to tell the Court promptly what it is you're
24 dissatisfied about and what you would suggest be done. I will
25 read your objections, if you will, and the government will

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1 respond, and then I will rule.

2 MS. MACEDONIO: Thank you, Your Honor.

3 MS. SHARKEY: Thank you, Judge.

4 THE COURT: You're welcome.

5 MR. PRAVDA: That's it from the government today,
6 Your Honor.

7 THE COURT: All right.

8 Anything else from defense counsel?

9 MS. SHARKEY: Judge, we have just one issue that we
10 need the Court's decision on.

11 THE COURT: Yes.

12 MS. SHARKEY: We've been provided with a witness,
13 Agent Ryan Singer, who is integral to the investigation.

14 The government is calling him for a particular
15 portion of the event, primarily, I believe, based on the
16 disclosure that they gave to us, the arrest of Saidakhmetov at
17 the airport.

18 The government has only provided us with the 3500
19 material that pertains to the arrest at the airport. We
20 object to that.

21 THE COURT: What do you want that they haven't given
22 you?

23 MS. SHARKEY: We want his full 3500 material in
24 relation to this investigation.

25 THE COURT: What do they -- what do you want that

1 they have not given you? You told me -- you've characterized
2 it --

3 MS. SHARKEY: Okay.

4 THE COURT: -- what do you think you're not getting?

5 MS. SHARKEY: Every 302 in which he participated in
6 during the course of this investigation.

7 THE COURT: Regarding any and all defendants?

8 MS. SHARKEY: Yes.

9 THE COURT: What is your response to that request?

10 MR. PRAVDA: Your Honor, that goes beyond what
11 18 U.S.C. 3500 requires the government to do.

12 Miss Sharkey correctly advised the Court, as we
13 informed her, that we intend to call Agent Singer for the
14 limited purpose of testifying about the arrest of codefendant,
15 Saidakhmetov at JFK Airport on February 25th, 2015, and the
16 fact that when Saidakhmetov was searched, \$1600 was recovered
17 from his pocket.

18 As the Court will recall, that's money that the
19 defendant handed to Saidakhmetov earlier that evening at the
20 airport. That's the only purpose for which we're calling
21 Agent Singer. The subject matter of the testimony will
22 encompass merely a 20-minute period, perhaps less, on
23 February 25th, 2015.

24 So 18 U.S.C. 3500(b) specifically states that the
25 government is to produce any statement that the witness in the

1 possession of United States which relates to the subject
2 matter as to which the witness has testified.

3 And I've done a little cursory research after
4 Ms. Sharkey raised this issue yesterday with the government,
5 and it's clear from the case law that that section of 3500(b)
6 is limited to exactly what it says, the subject matter of the
7 witness' testimony, not broader information about the case
8 which is on trial or anything like that.

9 THE COURT: All right. Well, I'll tell what you I
10 will do. I will allow the parties, if you wish, to brief that
11 particular issue. You have until 5:00 today to submit
12 simultaneous briefs on the issue.

13 It seems to be a fairly narrow and focused one, if
14 you're talking about this one agent and what he did, and I
15 will take your submissions under advisement and I will issue a
16 ruling.

17 I gave you guys a noon tomorrow deadline, and I'll
18 impose that on myself, and more importantly on my law clerks.
19 So we will issue a decision.

20 If you wish to brief it today, get the briefs in by
21 5. I will promise you a written decision with respect to that
22 application by noon tomorrow on that issue for that agent.

23 Okay?

24 MS. SHARKEY: Understood.

25 THE COURT: Okay. Other items?

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1 MS. MACEDONIO: May we have one moment, Your Honor.

2 THE COURT: Of course.

3 (Pause.)

4 MS. MACEDONIO: We're fine, Your Honor. Thank you
5 very much.

6 THE COURT: Thank you, Miss Macedonio.

7 Thank you, Miss Sharkey.

8 Thank you, gentlemen.

9 Is there anything else?

10 MR. HAGGANS: Not from the government, Your Honor,
11 thank you.

12 THE COURT: Very well. I look forward to receiving
13 your briefs, and I look forward to seeing you on Monday
14 morning at 9:30 a.m.

15 MS. MACEDONIO: Just one additional question.

16 THE COURT: Ah, Columbo, just one more.

17 MS. MACEDONIO: Just one more.

18 THE COURT: Yes, go ahead.

19 MS. MACEDONIO: Will we be sitting on Fridays, Your
20 Honor?

21 THE COURT: Oh, yes. Yes.

22 MS. SHARKEY: Actually, another question.

23 Do you run the calendar, the trial through 5:00;
24 9:30 to 5 every day?

25 THE COURT: Brutally.

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1 MS. SHARKEY: Okay.

2 THE COURT: Ruthlessly starting at 9:30, and even
3 more ruthlessly ending the day at 5, no matter what brilliant
4 examination is in medias res, to use the Latin phrase, and I
5 apologize in advance for cutting you off just as you're about
6 to come to your momentous brilliant point at 5:00 on any given
7 day, but you'll have to hold that thought until the next
8 morning.

9 Because see that big clock there? The jurors will
10 be looking right at that clock, and at about ten minutes to 5,
11 the jurors will start looking at me to see if I'm going to
12 keep my promise to them. I always keep my promises to my
13 juries. They love me. And that's why.

14 MS. SHARKEY: All right. Thank you, Judge.

15 THE COURT: Very well. Anything else?

16 MR. PRAVDA: Nothing else. Thank you, Your Honor.

17 THE COURT: Thank you. We're adjourned.

18

19 (Whereupon, the matter was concluded.)

20

21 * * * * *

22 I certify that the foregoing is a correct transcript from the
23 record of proceedings in the above-entitled matter.

24 s/ Linda D. Danelczyk

September 15, 2019

25 LINDA D. DANELCZYK

DATE